



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 925 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator William Van Regenmorter
Committee: Judiciary

CONTENT

The bill would amend the Department of Corrections (DOC) law to specify that, if a prisoner were ordered to pay restitution to a crime victim and the DOC received a copy of the restitution order from the court, the Department would have to deduct 50% of the funds received by the prisoner over \$50 in a given month for the payment of restitution. The DOC promptly would have to forward the restitution amount to the crime victim, as provided in the restitution order, whenever the amount collected for restitution exceeded \$100. If the prisoner were paroled, transferred to a community program, or discharged on his or her maximum sentence, the entire amount collected for restitution would have to be forwarded to the victim.

The DOC would have to notify the prisoner, in writing, of all deductions and payments made under the bill. The bill's requirements would remain in effect until all of the restitution was paid. The DOC could not enter into any agreement with a prisoner that modified the bill's requirements. Any agreement in violation of this prohibition would be void.

Any funds owed by the DOC or to be paid on behalf of one or more of its employees to satisfy a judgment or settlement to a person for a claim that arose while he or she was incarcerated, would have to be paid to satisfy any restitution order(s) imposed on the claimant of which the Department had a record. The payment would have to be made as described above. This obligation could not be compromised.

The bill would take effect on June 1, 1996, and is tie-barred to Senate Bill 929.

Proposed MCL 791.220g

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have no fiscal impact on local government and could have a fiscal impact on the Department of Corrections.

The additional administrative requirements of deducting funds from a prisoner's account for an order of restitution could result in increased costs, the amount of which would depend on the extent to which new computer programming was required in order to implement an effective monitoring system. This new function would be in addition to the transactions and oversight the Department currently provides for prisoners' accounts.

Date Completed: 5-7-96

Fiscal Analyst: M. Hansen
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.